

Hearing Date: March 30, 2009 at 10:00 a.m.  
Objection Deadline: March 23, 2009 at 4:00 p.m.

Julie Quagliano, Esq.  
Quagliano & Seeger, P.C.  
2620 P Street, NW  
Washington, DC 20007  
Phone: 202-822-8838  
Fax: 202-822-6982  
Email: [quagliano@quagseeg.com](mailto:quagliano@quagseeg.com)  
-and-

Vincent A. D'Agostine, Esq.  
Eric h. Horn, Esq.  
65 Livingston Avenue  
Roseland, New Jersey 07068-1791  
Phone: 973-597-2500  
Fax: 973-597-2400

Counsel for AT&T Entities

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
(RICHMOND DIVISION)**

*In re:*

Circuit City Stores, Inc. *et al.*,

Debtors.

Chapter 11

Case No. 08-35653 (KRH)

Jointly Administered

**NOTICE OF MOTION AND NOTICE OF HEARING ON MOTION OF THE AT&T ENTITIES FOR ENTRY OF AN ORDER: (A) ALLOWING AND COMPELLING THE PAYMENT OF ADMINISTRATIVE EXPENSE CLAIM TO AT&T; AND (B) COMPELLING ASSUMPTION OR REJECTION OF EQUIPMENT LEASE, OR IN THE ALTERNATIVE, LIFTING THE AUTOMATIC STAY TO PERMIT TERMINATION OF THE EQUIPMENT LEASE AND REPOSSESSION OF EQUIPMENT**

**PLEASE TAKE NOTICE** that on February 24, 2009, AT&T Capital Services, Inc. ("AT&T Capital"), and Sterling Commerce, Inc. ("Sterling"), collectively referred to herein as the "AT&T Entities," filed a Motion for Entry of an Order (A) Allowing and Compelling the Payment of Administrative Expense Claim to AT&T; and (B) Compelling Assumption or

Rejection of Equipment Lease, or in the Alternative, Lifting the Automatic Stay to Permit Termination of the Equipment Lease and Repossession of Equipment (the "Motion").

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in these bankruptcy cases. (If you do not have an attorney, you may wish to consult one.)** Under Local Bankruptcy Rule 9013-1, unless a written response to the Motion is filed with the Clerk of the Court and served on the moving party, the trustee and those parties as required by the Order Pursuant to Bankruptcy Code Sections 102 and 105, Bankruptcy Rules 2002 and 9007, and Local Bankruptcy Rules 2002-1 and 9013-1 Establishing Certain Notice, Case Management and Administrative Procedures (entered on November 13, 2008 at Docket No. 130) (the "Case Management Order") no later than two (2) business days before the scheduled hearing date, the Court may deem any opposition waived, treat the Motion as conceded, and issue an order granting the requested relief without further notice or hearing. If you do not want the Court to approve the Motion or if you want the Court to consider your views on the Motion, then you or your attorney must:

- [X] File with the Court, either electronically or at the address shown below, a written response pursuant to Local Bankruptcy Rule 9013-1(H). If you mail your response to the Court for filing, you must mail it early enough so the Court will **receive it on or before March 23, 2009 at 4:00 a.m.**

Clerk of Court  
United States Bankruptcy Court  
701 East Broad Street, Suite 4000  
Richmond, Virginia 23219

- [X] Pursuant to the Case Management Order, you must also serve a copy of any written response and request for hearing by the foregoing date via electronic mail on the following: (i) the Core Group, which includes the Debtors, co-counsel to the Debtors, the Office of the United States Trustee, co-counsel for any committee, counsel to the agents for the Debtors' prepetition lenders, and counsel to the agents for the Debtors' postpetition lenders; (ii) the 2002 List; and (iii) those additional parties as required by the Case Management Order (all of which are defined in the Case Management Order), which can be found at [www.kccllc.net/circuitcity](http://www.kccllc.net/circuitcity).
- [X] Attend a hearing before the Honorable Kevin Huennekens, United States Bankruptcy Judge, **at 10:00 a.m. (Eastern Standard Time) on March 30, 2009** at the United States Bankruptcy Court, Room 5000, 701 East Broad Street, Richmond, Virginia 23219. **If you or your attorney do not attend the hearing, the Court may grant the relief requested in the Motion.** If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the Motion and may enter an order granting the relief requested.

Dated: February 24, 2009

Respectfully submitted,

By: /s/ Julie Quagliano  
Julie Quagliano, VSB #37119  
**QUAGLIANO SEEGER, P.C.**  
2620 P Street, NW  
Washington DC 20007  
Telephone: (202) 822-8838  
Facsimile: (202) 822-6982  
Email: [quagliano@quagseeg.com](mailto:quagliano@quagseeg.com)

*Local Counsel for AT&T*

AND

**LOWENSTEIN SANDLER PC**  
Vincent A. D'Agostino, Esq.  
Eric H. Horn, Esq.  
65 Livingston Avenue  
Roseland, New Jersey 07068-1791  
Telephone: (973) 597-2500  
Facsimile: (973) 597-2400

*Counsel for AT&T*

**Certificate of Service**

I hereby certify that on February 24, 2009, a copy of the foregoing was filed via electronic mail on the following: (i) the Core Group, which includes the Debtors, co-counsel to the Debtors, the Office of the United States Trustee, co-counsel for any committee, counsel to the agents for the Debtors' prepetition lenders, and counsel to the agents for the Debtors' postpetition lenders; (ii) the 2002 List; and (iii) those additional parties as required by the Case Management Order (all of which are defined in the Case Management Order).

/s/ Julie Quagliano  
Julie Quagliano, Esquire